

ORDINANCE NO. 0-80-1

STATE OF TEXAS

COUNTY OF BEXAR

CITY OF SOMERSET

AN ORDINANCE FOR THE CITY OF SOMERSET, TEXAS, PERTAINING TO THE ISSUANCE OF ON-PREMISES BEER AND WINE LICENSES COVERING ESTABLISHMENTS LOCATED WITHIN ONE THOUSAND FEET OF ANY CHURCH, SCHOOL, HOSPITAL OR WHERE THERE ARE TRAFFIC HAZZARDS, SO AS TO MAKE EXCEPTIONS AND PROVIDING A FINE NOT EXCEEDING \$200.00 FOR VIOLATIONS

* * * * *

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOMERSET, TEXAS:

SECTION 1. No beer or wine shall be sold for consumption on the premises where sold, nor shall any license or permit authorizing sale of beer or wine for consumption on the premises where sold be issued which such premises are located within one thousand feet of any church, school or hospital, or where there are traffic hazzards, the measurements to be made in the manner prescribed by Article 109.33 of the Alcoholic Beverage Code of the State of Texas, as amended; provided, however, this section shall not apply

(a) where the premises for which application is made were being used for the sale of beer or wine for on-premises consumption at the time the school, church or hospital was established and such use has been continuous to the date of application; or

(b) to premises for which a permit or license was in existence on April, 10, 1980, and which have been continuously in use, without interruption for more than twelve (12) months, for the sale of beer or wine for on-premises consumption subsequent to April 10, 1980, to the date of application; or

(c) where the premises are a church or hospital and the applicant for a beer or wine linense is the church or hospital involved, where the applicant has the approval of the church or hospital in writing.

SECTION 2. No beer or wine shall be sold for consumption on the premises where sold nor shall any license or permit authorizing sale of beer or wine for consumption on the premises where sold be issued when such premises are so located in such a manner that vehicles must park on any right-of-way of any municipal street, city road, or state or county highway or where the vehicle may be parked in such a manner so as to cause a traffic hazzard.

SECTION 3. Any person who shall violate any provision of the ordinance shall be deemed to be guilty of a misdemeanor and shall upon conviction be punished by a fine not exceeding \$200.00.

PASSED AND APPROVED this 12th day of June, 1980.

ATTEST:

Mary M. Kury
City Clerk

S. J. Kuenstler
S. J. Kuenstler, Mayor

APPROVED AS TO FORM:

Donald L. Wright, City Attorney